

**Decision Record
for the
Amendment to Road Right of Way for Boise Cascade**

EA #OR-118-02-001

Decision

It is my decision to implement Alternative 1 in Environmental Assessment #OR-118-02-001 and described below. This action will not result in significant impacts on the human environment and a Supplemental Environmental Impact Statement is not required. This action is in conformance with the Medford District Resource Management Plan and the Northwest Forest Plan and Amendment, including the Aquatic Conservation Strategy. This project is consistent with the Endangered Species Act, the Native American Religious Freedom Act and cultural resource management laws and regulations.

Specifically, the approved action consists of amending the Right-of-Way and Road Use Agreement (M-660) and O&C Logging Road Right-of-Way Permit (M-660), Serial # OR - 48747-FD with Boise Cascade Corporation for the purpose of constructing, using, and maintaining approximately 300 feet of new road and using BLM roads from point of new construction back to the Grave Creek Road, #34-5-10, for hauling.

The construction will start from an existing rocked road and extend along the upper portion of the slope. Construction of the road will take one week to complete. The equipment will entail tracked tractors, graders, rollers and dump trucks. Heavy equipment will be washed before entering federal lands, to remove oils, grease, soil and plant parts. No soil will be placed by a stream. Any soils contaminated resulting from equipment failure or human error will be removed from the site and disposed of in an approved site. Road construction will involve outslowing within water dips to reduce maintenance requirements and to reduce erosion that might otherwise occur. Work will be temporarily suspended if rainstorms saturate soils to the extent that there is potential for road damage. Cutting vegetation on road fill slopes will be minimized in order to maintain slope stability. Bare soil areas will be mulched with material that is free of noxious weeds after construction has been completed. Use of power equipment within 1/4 mile of any northern spotted owl nest will be limited to the period between June 16 and February 28 or until a Glendale Resource Area biologist were to determine that young were sufficiently dispersed. This same seasonal restriction will apply to blasting within one mile of an active nest. Any proposed changes to this action during project construction will be fully analyzed, per NEPA, by the interdisciplinary team and submitted to the Field Manager for a decision prior to such activity being approved.

The following locations will be included in the amendment to OR-48774-FD and will be in perpetuity to Schedule 1 of the M-660 Agreement and Permit:

a. 33-4-4 - Segment B. Beginning in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ to the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 17, T. 33 S., R. 4 W., Willamette Meridian, Jackson County, Oregon. This amendment is only for a Right-of-Way width of 15 feet each side of centerline of the existing road, referenced within the lands as described below:

T33 S, R4 W, Sec. 17 SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

b. 33-4-9 - Segment A1. Beginning at the junction with Road No. 33-4-15.1 in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and ending at the junction with Road No. 33-4-9.1 in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, T. 33 S., R. 4 W., Willamette Meridian, Jackson County, Oregon. This amendment is only for a Right-of-Way width of 15 feet each side of centerline of the existing road, referenced within the lands as described below:

T33 S, R4 W, Sec. 9 NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$

c. 33-4-9.1 - Segment A1. Beginning at the junction with Road No. 33-4-9 in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and ending at the junction with Road No. 33-4-4 in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T. 33 S., R. 4 W., Willamette Meridian, Jackson County, Oregon. This amendment is only for a Right-of-Way width of 15 feet each side of centerline of the existing road, referenced within the lands as described below:

T33 S, R4 W, Sec.9 NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$

d. 33-4-15.1 - Segment B1. That portion of the road beginning at the South boundary of SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9 and ending at the junction of Road No. 33-4-9 in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, T. 33 S., R. 4 W., Willamette Meridian, Jackson County, Oregon. This amendment is only for a Right-of-Way width of 15 feet each side of centerline of the existing road, referenced within the lands as described below:

T33 S, R4 W, Sec. 9 SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$

e. 33-4-17 - Segment A. That portion of the road beginning at the junction with Road No. 33-4-4 in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.54 miles to the beginning of 33-4-17 Segment B in the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 17, T. 33 S., R. 4 W., Willamette Meridian, Jackson County, Oregon. This amendment is only for a Right-of-Way width of 15 feet each side of centerline of the existing road, referenced within the lands as described below.

T33 S, R4 W, Sec.17 SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$

f. 33-4-17 - Segment B. That portion of the road to be constructed by Boise Cascade Corporation under the Reciprocal Right-of-Way Permit M-660, Supplement No. 207 from the end of Road No. 33-4-17 Segment A in the SW $\frac{1}{2}$ NW $\frac{1}{4}$ to the West boundary line in the N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, T. 33 S., R. 4 W., Willamette Meridian, Jackson County Oregon. This amendment is only for a Right-of-Way width of 15 feet each side of centerline of the existing road, referenced within the lands as described below:

T33 S, R4 W, Sec.17 SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$

Rationale

This action meets the purpose of the proposal which is to amend a right-of-way grant to facilitate hauling of timber off of private lands. The area on which the road is to be constructed represents a more environmentally sound route than was originally requested by the landowner. The route herein approved has stable slopes and involves no stream or wetland crossing.

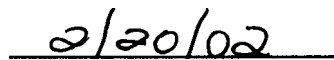
This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in Title 43 Code of Federal Regulations (CFR) Part 4. The notice of appeal must be filed in the Glendale Field Office, Bureau of Land Management, U.S. Department of the Interior, 3040 Biddle Road, Medford, OR, 97504, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

Comments, including names and street addresses of respondents, will be available for public review. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

Pursuant to 43 CFR 2804.1 this decision shall remain effective pending appeal unless the Secretary of the Interior rules otherwise. If the appellant wishes to file a petition pursuant to regulation 43 CFR 4.21 or 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time that the appeal is being reviewed by the Board, the petition for a stay must accompany the notice of appeal. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see **43 CFR 4.413**) at the same time the original documents are filed with this office. If a stay is requested, the appellant has the burden of proof to demonstrate that a stay should be granted.



Lynda L. Boody
Field Manager, Glendale Resource Area,
Medford District, Bureau of Land Management



Date